

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BRETSCHNEIDER

Appl. No.: 10/594,251

Int'l Filing Date: March 11, 2005

For: **2,4,6-Phenyl-Substituted Cyclic
Ketoenols**

Art Unit: 1614

Examiner: *To Be Assigned*

Atty. Docket: 2400.0800000/VLC/CMB

**First Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Mail Stop PCT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicant's Information Disclosure Statement filed on November 9, 2006 in connection with the above-captioned application.

Copies of documents **FP2** to **FP13** and **NPL2** to **NPL30** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, **US5** to **US97**, cited on the attached IDS Form, PTO/SB/08A, are not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents **FP2**, **FP4**, **FP5**, **FP8**, **NPL2**, **NPL7**, **NPL9**, **NPL10**, **NPL11**, and **NPL19** cited on Forms PTO/SB/08A and PTO/SB/08B:

FP2, EP 0 346 620 A1, is in a foreign language. An English language abstract of document FP2 is attached as document **NPL26**.

FP4, WO 94/29268 A1, is in a foreign language. An English language abstract of document FP4 is provided on the face page of the document.

FP5, WO 96/02539 A1, is in a foreign language. An English language abstract of document FP5 is provided on the face page of the document.

FP8, JP 2000-53670 A, is in a foreign language. An English language abstract of document FP8 is attached as document **NPL27**.

NPL2, ASKANI, R., "Reaction of 1,3-cyclohexadiene with azodicarboxylic acid diethyl ester," *Chem. Berichte* 98:2551-2555, Verlag Chemie (1965), is in a foreign language. An English language abstract of document NPL2 is attached as document **NPL28**.

NPL7, CHIRAZI, A.M., *et al.*, "Zur Synthese von Kawalactonderivaten," *Arch. Pharm.* 309:558-564, Deutschen Apotheker-Vereins (1976), is in a foreign language. An English language abstract of document NPL7 is provided on the face page of the document.

NPL9, COMPAGNON, P.L., and MIOCQUE, M., "Addition des Réactifs Nucléophiles Sur la Triple Liaison Nitrile," *Ann. Chim.* 5:11-22, Società Chimica Italiana (1970), is in a foreign language. An English language abstract of document NPL9 is provided on the face page of the document.

NPL10, DANNENBERG, V.H. and DANNENBERG-VON DRESLER, D., "Verusche zur Synthese des „Steranthrens“ III," *Justus Liebigs Ann. Chem.* 585:1-15,

Verlag Chemie (1954), is in a foreign language. An English language abstract of document NPL10 is attached as document **NPL29**.

NPL11, DIELS, V.O., *et al.*, "Über das aus Cyclopentadien und Azoester entstehende Endomethylen-piperidazin und seine Überführung in 1,3-Diamino-cyclopentan," *Justus Liebigs Ann. Chem.* 443:242-262, Verlag Chemie (1925), is in a foreign language. An English language abstract of document NPL11 is attached as document **NPL30**.

NPL19, SCHMIERER, R., and MILDENBERGER, H., "Cyclisierung von N-Acylalanin- und N-Acylglycineestern," *Liebigs Ann. Chem.* 1985:1095-1098, VCH Verlagsgesellschaft mbH (1985), is in a foreign language. An English language abstract of document NPL19 is provided on the face page of the document.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

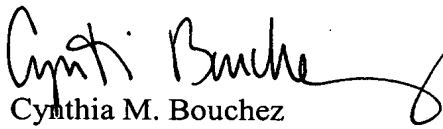
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

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